

**EXHIBIT C**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LINDA MIGLIORI, FRANCIS J. FOX,	)	
RICHARD E. RICHARDS, KENNETH	)	
RINGER, and SERGIO RIVAS,	)	
	)	
Plaintiffs,	)	No. 5:22-cv-00397-JFL
	)	
and	)	
	)	
ZACHARY COHEN,	)	
	)	
Intervenor-Plaintiff,	)	
	)	
v.	)	
	)	
LEHIGH COUNTY BOARD OF	)	
ELECTIONS,	)	
	)	
Defendants,	)	
	)	
and	)	
	)	
DAVID RITTER,	)	
Intervenor-Defendant.	)	
_____	)	

**DECLARATION OF STEPHEN A. LONEY, JR.  
IN SUPPORT OF PETITION FOR AWARD OF ATTORNEYS' FEES**

I, Stephen A. Loney, Jr., am one of the attorneys of record for the plaintiffs in the above-captioned case. I make the following declaration upon my personal knowledge:

1. This declaration is submitted in support of Plaintiffs' Petition for Attorneys' Fees.
2. I am a Senior Supervising Attorney of the ACLU of Pennsylvania, where I have worked as an attorney since January 2022.
3. I graduated from New York University School of Law in 2004, and earned my undergraduate degree from St. Joseph's University.

4. After graduating from law school, I served for one year as a law clerk to the Honorable Franklin Van Antwerpen of the U.S. Court of Appeals for the Third Circuit, then practiced commercial litigation at several large law firms in Philadelphia until joining the ACLU of Pennsylvania in 2022. Immediately before leaving my last firm, my standard billable rates were in excess of \$900-\$1,000 per hour.
5. I certify that the attached time sheets, which are incorporated by reference, were prepared contemporaneously and maintained in the ordinary course of business.
6. The hours we have billed in this case are fair and reasonable and were necessarily incurred in the successful prosecution of this case.
7. Only the time spent on this case that could reasonably be billed to a private client has been included.
8. Based on my experience and standing in the bar, I believe that the requested rate of \$525 per hour is fair and reflects the prevailing community rate for civil rights lawyers of comparable skill and experience.
9. I am currently admitted to practice in Pennsylvania and all federal courts within the Third Circuit.
10. I am a salaried employee of the ACLU of Pennsylvania, a nonprofit, nonpartisan organization dedicated to defending and protecting our individual rights and personal freedoms. We do not charge our clients, and have not done so in this case. Consequently, I am subject to the “community market rate rule” for determining my fee rate.
11. My hourly rate of \$525 per hour reflects the community market rate for attorneys of comparable skill and experience. This rate is based on knowledge of rates charged by

partners at law firms in Philadelphia with similar levels of experience and educational backgrounds.

12. My total billable hours for the U.S. District Court proceedings in this case are 142.3. The total amount (lodestar), as calculated by multiplying the hours times the prevailing billing rate of \$525, is \$74,707.50
13. For the foregoing reasons, I believe that my requested hourly rate of \$525 is fair, reasonable, and well within the scope of rates given to federal court litigators with similar experience, skill, and standing in the Philadelphia legal community.

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Stephen A. Loney, Jr.", written in a cursive style.

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Stephen A. Loney, Jr.

November 10, 2022

**Migliori v. Lehigh County Board of Elections - Stephen A. Loney, Jr. Attorney Time - E.D. Pa.**  
**Hourly Rate = \$525**

Date	Description	Time	Amount
1/28/2022	Analyze litigation options; draft TRO petition and supporting brief; discuss same with Z. Cohen, potential plaintiffs and ACLU team	6.40	\$ 3,360.00
1/29/2022	Analyze litigation options; draft TRO petition and supporting brief; discuss same with Z. Cohen and ACLU team	7.00	\$ 3,675.00
1/30/2022	Analyze litigation options; draft TRO petition and supporting brief; discuss same with Z. Cohen, potential plaintiffs and ACLU team	12.20	\$ 6,405.00
1/31/2022	Analyze litigation options; draft TRO petition and supporting brief; discuss same with Z. Cohen, potential plaintiffs and ACLU team; prepare for potential TRO hearing	10.60	\$ 5,565.00
2/1/2022	Draft agreed order re TRO motion; discuss same with opposing counsel and ACLU team; confer with clients re status of case; analyze request for consent to intervention by D. Ritter and confer with Ritter's counsel re same; analyze potential arguments in opposition to injunctive relief	4.10	\$ 2,152.50
2/2/2022	Analyze D. Ritter's intervention motion and proposed answer; confer with ACLU team re same; analyze potential arguments in opposition to injunctive relief	2.90	\$ 1,522.50
2/3/2022	Analyze D. Ritter's answer; meet and confer with opposing counsel re summary judgment proposal; discuss same with ACLU team; meet with potential amici	3.10	\$ 1,627.50
2/4/2022	Meet and confer with opposing counsel re summary judgment proposal; analyze summary judgment strategy; discuss same with ACLU team; meet with potential amici; correspondence with clients re factual background and litigation hold notice	5.50	\$ 2,887.50
2/7/2022	Meet and confer with opposing counsel re summary judgment proposal; analyze summary judgment strategy and proposed fact stipulation; discuss same with ACLU team	2.30	\$ 1,207.50
2/8/2022	Review and revise proposed fact stipulation and summary judgment brief; discuss same with ACLU team	2.50	\$ 1,312.50

Date	Description	Time	Amount
2/9/2022	Review and revise proposed fact stipulation and summary judgment brief; discuss same with ACLU team; correspondence with opposing counsel re proposed stipulated facts	4.90	\$ 2,572.50
2/10/2022	Review and revise proposed fact stipulation and summary judgment brief; discuss same with ACLU team; correspondence with opposing counsel re proposed stipulated facts	7.90	\$ 4,147.50
2/11/2022	Draft motion for summary judgment and supporting brief; review and analyze defendants' motions for summary judgment; discuss same with ACLU team	6.20	\$ 3,255.00
2/14/2022	Review and analyze defendants' motions for summary judgment; discuss same with ACLU team	0.70	\$ 367.50
2/15/2022	Review and analyze defendants' motions for summary judgment; draft sections to summary judgment response; discuss same with ACLU team	1.40	\$ 735.00
2/16/2022	Draft sections to summary judgment response; discuss same with ACLU team	1.70	\$ 892.50
2/17/2022	Draft sections to summary judgment response; discuss same with ACLU team	0.70	\$ 367.50
2/18/2022	Draft sections to summary judgment response; discuss same with ACLU team	12.50	\$ 6,562.50
2/19/2022	Draft summary judgment response; discuss same with ACLU team	9.00	\$ 4,725.00
2/20/2022	Draft summary judgment response; discuss same with ACLU team	7.20	\$ 3,780.00
2/21/2022	Draft summary judgment response; discuss same with ACLU team	6.60	\$ 3,465.00
2/22/2022	Draft summary judgment response; discuss same with ACLU team	10.10	\$ 5,302.50
2/23/2022	Review and analyze Defendants' summary judgment responses in preparation for reply briefs and oral arguments; discuss same with case team	3.90	\$ 2,047.50
2/24/2022	Draft reply brief in support of summary judgment; correspondence with court and opposing counsel re oral argument; discuss same with case team	4.90	\$ 2,572.50
2/25/2022	Draft reply brief in support of summary judgment; discuss same with case team	8.00	\$ 4,200.00
	<b>TOTAL</b>	<b>142.30</b>	<b>\$ 74,707.50</b>